| <u>Untre</u>  | ed States Patent a | ND TRADEMARK OFFICE  | UNITED STATES DEPARTA<br>United States Patent and T<br>Address: COMMISSIONER FOR P<br>FO. Box 1450<br>Alexandra, Viginia 22313-14<br>www.mpto.gov | rademark Office  |
|---|--------------------|----------------------|---|------------------|
| APPLICATION NO.   | FILING DATE        | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.   | CONFIRMATION NO. |
| 09/896,990  | 07/02/2001         | Michael John Bader   | 2001B053  | 1190             |
| 23455 75  | i90 09/02/2003     |                      |   | 9                |
| EXXONMOBIL CHEMICAL COMPANY<br>P O BOX 2149<br>BAYTOWN, TX 77522-2149 |                    |                      | EXAMINER  |                  |
|   |                    |                      | JACKSON, MONIQUE R  |                  |
|   |                    |                      | ART UNIT  | PAPER NUMBER     |
|   | ••                 |                      | 1773  |                  |
|   |                    |                      | DATE MAILED: 09/02/2003   |                  |

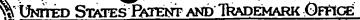
Please find below and/or attached an Office communication concerning this application or proceeding.

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Paper No.

# Notice of Non-Compliant Amendment (37 CFR 1.121)

is considered non-compliant because it has failed to meet the requirements -The amendment filed on CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000). In ordthe amendment to be compliant, applicant must supply the following omissions or corrections in response to this notice.

THE FOLLOWING ITEMS ARE REQUIRED FOR COMPLIANCE WITH RULE 1.121 (APPLICANT NEED NOT RE-SUB) THE ENTIRE AMENDMENT):

1. A clean version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(ii).

2. A marked-up version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(iii).

3. A clean version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(i). 

4. A marked-up version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(ii). 

paragraphs have to be submitted in Explanation: chuncily sumething when

(LE: Please provide specific details for correction to assist the applicant. For example, "the clean version of claim 6 is missing.")

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at http://www.uspto.gov/web/offices/dcom/olia/pbg/sampleaf.pdf.

- PRELIMINARY AMENDMENT: Unless applicant supplies the omission or correction to the preliminary amendment compliance with revised 37 CFR 1.121 noted above within ONE MONTH of the mail date of this letter, examination or merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action un U.S.C. 132, and this ONE MONTH time limit is not extendable.
- AMENDMENT AFTER NON-FINAL ACTION: Since the above-mentioned reply appears to be bona fide, applicant given a TIME PERIOD of ONE MONTH or THIRTY DAYS from the mailing of this notice, whichever is longer, within which to supply the omission or correction noted above in order to avoid abandonment. EXTENSIONS OF THIS T PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

308-2406

Legal Instruments Examiner (LIE)

(Rev. 12/01)

# 3/ CFR 1.

# Changes to the Patent Rules

#### October 20, 2000

### Volume 1, Issue 3

This is the third in a series of Patent Néws Bulletins to assist you in keeping up to date with significant rule changes which affect your a Keep this copy to use as a bookmark for your present MPEP, or view this bulletin again on the USPTO Website



## Simplified Amendment Practice. Replacement paragraphs/sections/claims to be used. 37 CFR 1.121

The rule package "Changes to the Patent Business Goals - Final Rule," published in the Federal Register on September 8, 2000, 65 Fed. Reg. 54603 (Sept. 8, 2000), and the Official Gazette on September 19, 2000. 1238 Off. Gaz. Pat. Office 77 (September 19, 2000). The PBG rule package makes a number of revisions to Title 37.

The entire final rule may be found at the USPTO Website at http:// www.uspto.gov/web/ offices/dcom/olia/pbg/ Index.html.

Areas and Individuals primarily affected by this rule change include: (1)Patent Examiners and Tech Support Staff in the Technology Centers (2) Office of Patent **Publication** 

Any questions related to this change in practice should be directed to Joe Narcavage, Special Projects Exr., (703-305-1795) or Liz. Dougherty, Legal (dvisor, (703-306-3156) Mandatory compliance with the revised rule is not required until March 1, 2001. It is suggested that applicants adopt the revised procedures on or after November 7, 2000, in order to adjust to the changes in amendment practice.

Under the new amendment practice, amendments to the specification must be made by the submission of clean new or replacement paragraph(s), section(s), specification, or claim(s). This practice will provide a specification (including claims) in clean, or substantially clean, form that can be effectively captured and converted by optical character recognition (OCR) scanning during the patent printing process.

The new practice requires applicant to provide, in addition to the clean version of a replacement paragraph/section/claim, a marked-up version using applicant's choice of a conventional

marking system to indicate the changes, which will aid the examiner in identifying the changes that have been made. The marked-up version must be based on the previous version and indicate (by markings) how the previous version has been modified to produce the clean version submitted in the current amendment. The term "previous version" means the version of record in the application as originally filed or from a previously entered amendment.

The following format is suggested in an amendment paper: (1) a clean version of each replacement paragraph/section/claim with clear in-

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version entitled "Version with markings t show changes made."

Applicants will also be able to submit a cle set of all pending claims, consolidating all previous versions of pending claims from a series of separate amendments into a single clean version in a single amendment paper This submission of a clean version of all of the pending claims will be construed as directing the cancellation of all previous versions of any pending claims. No marked-u version will be required to accompany the clean version where no changes other than consolidation are being made.

Amendment by paragraph/claim replacement in clean form. The amended rule encourage: issuance of applications with examiner's amendment with practitioners/applicants havin file a formal amendment. Ac tions or deletions of subject r ter in the specification, inclus the claims, may continue to t

made in an examiner's amendment at the of allowance by instructions to make any change at a precise location in the specific tion or the claims. An examiner's amendu may incorporate a printed copy of a fax or mail amendment submitted by applicant. Only that part of the e-mail or fax directed a clean version, or a portion of, a paragrag claim to be added should be printed and a tached to the examiner's amendment, with paper copy of the entire e-mail or fax beir entered in the file. The electronic version the e-mail is not required to be saved once printed e-mail (and any attachments) beck

nort of the configuration file record.